

September 16: political chants

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The Overture

A revolution can be victorious only if it can protect itself, a classic of Communism once stated. It is hard to answer for sure whether the September 16 events in Ukraine were a revolution and what they could bring to the organizers, and, most importantly, who managed to use their fruit.

Less than 20 hours passed between the rally in the Evropeiska Square and the destruction of the protesters' tents near the presidential administration. 64 protesters were detained by the police.

The Ukrainian opposition claims that the September 16 events were just the beginning, and more steps will follow that finally will bring down the regime. It is a big question whether such claims can be realized. According to the Constitution (Article 108), the President's powers can be terminated earlier only in cases of (1) resignation, (2) poor health that makes it impossible for the president to carry out his duties, (3) impeachment, and (4) death. Currently there is no reason to hope that Kuchma will respond to the opposition's demands. Efforts to initiate the impeachment procedure through the parliament have failed, as the initiators found themselves well short of the required 226 votes.

On September 16 the rally took place in the center of Kyiv regardless of the judgment of the Shevchenkivsky borough court that had satisfied the lawsuit of the Kyiv State Administration and ordered the opposition to move the venue of its rally 14 km away from Kyiv. According to law-enforcement authorities, the rally was attended by 15 thousand people. The organizers argue that the turnout was 25,000 to 30,000. Throughout Ukraine, the protest rallies gathered about 50,000 protesters, the police say, while Yulia Tymoshenko argues the rally participants numbered 127,000. Hence, the opposition succeeded in its task to bring as many people as possible to the streets. Ironically, people throughout Ukraine could find out little about that from the media. The media, in their turn, managed to make very limited reports about the event and use optical tricks to make sure the rally looked less massive than it was.

One of «expected surprises» was the arrival of Viktor Yushchenko to the rally and his

statement that the authorities «understand only one kind of politics - the one done under the carpet or behind the curtains» and, apparently, do not wish to engage in a dialogue with the opposition (Den, September 17, 2002). The participants of the rally adopted an appeal to the President of Ukraine that called on him to resign immediately. They also called on law-enforcement authorities not to follow the orders of Kuchma and foreign diplomats to ignore him. The appeal, signed by Yulia Tymoshenko, leader of the Socialist party Oleksandr Moroz, leader of the Communist party Petro Symonenko, and Viktor Yushchenko of Nasha Ukraina, read that President Kuchma had no other choice than to confess his sins to the people and leave the office immediately (UNAIN, September 16, 2002). The document stated that within the years of Kuchma's one-person rule the society and the state have been thrown back by 30 or 50 years, that Kuchma «became the president illegally, is involved in crime, and is responsible for the «catastrophic reduction of population of Ukraine».

The opposition leaders failed to hand the appeal to Kuchma as they initially planned, as the President was in Austria on that day. The next day the President refused to meet representatives of the protesters who wanted to hand the appeal to him. According to presidential chief of staff Viktor Medvedchuk, Kuchma explained his decision not to meet with the opposition representatives because the resolution of the rally was «humiliating» for him. Meanwhile, according to Medvedchuk, the President is ready for a dialogue with representatives of any socio-political forces, provided that would be a civilized exchange of opinions in which all of the participants are concerned primarily with the future of Ukraine. In his view, the «extremely insolent nature of the appeal of the participants of the action» makes such a dialogue impossible. The next day the opposition failed to gather enough supporters to open an urgent session of the parliament.

Yushchenko's signature under the tough anti-Kuchma appeal was a surprise itself. A few days before the opposition publication, Silski Visti, published an article titled «The Yushchenko guys support the opposition with their hearts but do not hurry to sign under that». On September 16 the signature was publicly placed under the appeal. It is unclear whether the fact means that Nasha Ukraina finally positioned itself as an opposition force and whether the view was shared by all members of the faction. Part of the answer can be found in a statement of Nasha Ukraina, issued on September 17: the «People's Forum «For Democratic Development of Ukraine!», initiated by Nasha Ukraina, showed to the society and the authorities a real chance to exit the political crisis... but the authorities did not use the chance to sit to the negotiation table. «The authorities stayed deaf, blond and dumb,» the statement read. Nasha Ukraina demanded to release the protesters detained during the night of September 16 to 17, to call an urgent session of the parliament to discuss the current situation and to hear reports of the Ministry of the Interior, the Ministry of Transport, and the State Committee for Information and Communications, the Ministry of Justice. The statement also demanded to lift media censorship and provide access to the air for all political forces. If the demands were not satisfied, Nasha Ukraina threatened to continue protest actions that would call for early presidential elections and early parliamentary elections based on a proportional election system. The statement was, in fact, a reaction of Nasha Ukraina to the lack of attention of the presidential administration to their «traditional» initiatives for forming a

parliamentary majority based on Nasha Ukraina, and forming a coalition government. As if sensing possible reaction to the calls by Yushchenko, one of the group's sympathizers, leader of the parliamentary group «Democratic Initiatives» Stepan Hawrysh announced that «the authorities should not feel offended», as the most important thing was for the authorities to refrain from ultimatums and demonstrate responsibility for the national history. There is no certainty, however, that the appeal to «live in peace» will be heard by the opposite side.

Something about the reasons

One may quote different reasons and motivations that have brought the people to the streets on September 16. Most of the reasons can be classed into generally political and personal ones. The personal reasons are linked to the leadership factor, as leading the protest action makes the leader a top actor in the opposition circles and adds to his or her chances for the presidential elections - currently scheduled for the fall of 2004. To a large extent, the «face» of the opposition, its actions and drawbacks are «programmed» by the authorities. The point is not just that many of the opposition leaders were in power some time ago. It is difficult to single out criteria that would determine belonging of some political forces to the opposition, as far as their ideology, clear proposals for further development of the state and society, strategies are concerned. Similarly, the government also does not seem to have a clear vision of what is it trying to build, regardless of declared strategic plans and slogans.

To a large extent, the recent protest rally reflects the current political and informational realities in which the Ukrainian opposition forces have to operate. The political environment includes the lack of mechanisms of influence in the parliament, the lack of a dialogue with the government, and cases of pressure on the MPs. Hence, through appealing directly to voters and potential supporters, the opposition forces are trying to compensate for the inability to legitimize their claims through parliamentary means. By generating public support, the opposition demonstrates its legitimacy to the power-holders. In this sense the actions are compensatory in nature and point to the lack of democratic mechanisms of political dialogue in this country.

Another reason that is usually quoted by experts is the lack of access of the opposition to the media. Blocked from the media during the election campaign, the opposition did not get the access after the elections. The announced idea of formation of a media holding by Nasha Ukraina so far has not been implemented. On September 16, all TV channels were down for «maintenance». None of national and Kyiv TV channels broadcast before 3 pm, and the first newscasts appeared only in the evening.

«Building a majority»: moving in a political labyrinth

One of the reasons that forced Nasha Ukraina towards the opposition slogans was the process of building a majority in the Ukrainian parliament - closed, non-transparent and personality motivated as ever.

The current stage of shaping the parliamentary majority was launched by the president's declaration of the need for transition to a parliamentary-presidential republic. Noteworthy, there were little, if any, talks about what should be done first - amendments to the Constitution prepared and introduced or a specific de facto majority formed first, and a government formed on its basis. The supreme task of political forces outside the parliament, namely, in the presidential administration, is to build a majority that would form a coalition government reflecting interests and ambitions of consolidating forces of such a majority.

Paradoxically, nowadays there is no real majority in the Ukrainian parliament, though a number of options are being discussed. Obviously, it is impossible to form a majority based on the opposition four. Even though all MPs that are members of the Yulia Tymoshenko's block, the Socialist faction, the Communist faction and Nasha Ukraina are taken together (regardless of their strong differences and strategies), that would make no more than 217 votes. Moreover, those factions are also not monolith - take, for instance, the position of Crimean Communist leader Leonid Grach and his friendly relations with pro-presidential factions. The Communists still do not have a clear position regarding the appeal of the Prosecutor General to the parliament to strip Yulia Tymoshenko of her immunity to prosecution and allow her arrest on economic criminal charges. The majority based on the four factions could not be formed during the election of the Speaker. It is unlikely that the project might succeed today.

There are efforts to form the majority based on nine pro-presidential factions, with or without Nasha Ukraina. Such a majority will give from 216 to 223 MPs and will also be very unstable and vulnerable to pressures and hazards. Moreover, it will not be able to carry out the fundamental changes announced by President Kuchma. While it is true that some members of the opposition factions can be recruited to such a majority, so far negotiations have not been completed.

Another option is forming a majority of eight pro-presidential factions less SDPU(o) plus Nasha Ukraina. Yet, given the influence of Viktor Medvedchuk in the parliament, and the careful attitude of pro-presidential factions, this option is not very likely.

Another option would be a majority formed of almost 320 MPs - including members of Nasha Ukraina and the SDPU(o) factions. This is the most favored option of most of pro-presidential factions. The difficulty of such a solution is personal political confrontation between Yushchenko and Medvedchuk that makes even a tactical alliance between them unlikely. The two politicians keep challenging each other by trying to form «their own» majority and, therefore, influence the formation of the future Cabinet of Ministers and gain additional scores in terms of the presidential election prospects. Paradoxically, the same factions are prepared to build a majority with Yushchenko and with Medvedchuk.

The process of building a majority looks like moving in a political labyrinth with no certainty as to where any of the ways leads and strong chances to get lost. A step towards forming a majority was made at the Forum «For Democratic Development of Ukraine», organized by Nasha Ukraina. On September 15 some political forces represented in the

parliament - Yushchenko, leader of Trudova Ukraina - PPU Serhiy Tihipko, leader of Democratic Initiatives Stepan Hawrysh, leader of the Agrarians Kateryna Vashchuk and leader of the faction of the People's Democratic Party Anatoly Tolstoukhov - signed a Joint Statement declaring their initiative for forming a democracy coalition in the parliament. Later on, one of the most active advocates of including Nasha Ukraina to the majority, Sergiy Tihipko, announced he had spoken by telephone to leader of the faction of the Regions of Ukraine Raisa Bohatyriova who had voiced support for the idea and the intention to sign the Joint Statement in the near future. On September 18, political coordinator of Nasha Ukraina Roman Bezsmertnyi confirmed that Nasha Ukraina was interested in «contact and approximation» with the Donetsk group, represented by the Regions of Ukraine (Ukrainska Pravda, September 18, 2002).

The number of volunteers to join the Nasha Ukraina-based alliance appeared to grow. Recently, Viktor Yushchenko announced that the Narodovladdya group intended to join the alliance and was prepared to sign the necessary documents. However, some uncertainty did not disappear. For instance, although the PDP was one of the signatories of the Joint Statement, on September 20 the leader of the faction Valery Pustovoitenko announced there were several options of forming a majority. He argued the team for the majority should be based on all parliamentary factions and groups and include «everybody who wants to work; that may be Nasha Ukraina as well». The interpretation of Nasha Ukraina as just one of «involved» members instead of the basis for the majority changes the nature of the would-be alliance and, obviously, does not suit Nasha Ukraina. The statement of the PDP faction leader was a reaction to the claim of Tihipko that the «basis for the parliamentary majority will be the factions that signed the Statement on forming a majority at the Forum of democratic forces in Kyiv on September 15». Furthermore, Raisa Bohatyriova, who, reportedly, intended to join the initiative of Nasha Ukraina, announced that negotiations about the would-be majority were taking place in two formats: «nine pro-presidential factions plus Nasha Ukraina» and «nine pro-presidential factions without Nasha Ukraina».

Viktor Yushchenko also spoke about separate options. On September 20 he announced there were two centers of forming a parliamentary majority - one of them formed in the presidential administration where, according to Yushchenko, there are daily reports that «the collective farm will be built at any conditions, with all possible mechanisms»; and the other one, formed in the parliament, «in the hands of democratic forces», aware of the fact that «Ukraine no longer accepts an administrative majority».

Viktor Medvedchuk does not remain silent on the matter. On September 20 the SDPU(o) faction issued a statement that it considered impossible to join a majority together with Nasha Ukraina until its leader publicly calls off his signature under the resolution of the protest rally, «Rise, Ukraine!», for «those texts are extremely humiliating in form and not only contain groundless accusations against the government and the incumbent President, but also represent disrespect to authority of the Ukrainian state».

It is hard to count the number of discussions and consultations in the office of Speaker Volodymyr Lytvyn about formation of the «9 + NU» and «9 - NU» options. It is similarly

difficult to say how many consultations and meetings have been held in the presidential administration. Viktor Medvedchuk, who is not going to lose his influence on the legislature commented on the initiative of the five factions that had signed an agreement at the Democracy Forum, by saying that the majority should be formed around the political report announced by the President on August 24. A parliamentary majority should be formed in the session hall, not at research conferences, Medvedchuk added. Anyway, we may see the reasons that pushed Nasha Ukraina to participation in the actions. On September 18, 2002, NU's political coordinator Roman Bezsmertnyi said that Nasha Ukraina would not only participate in the protests, but would also acts as their organizer «if the government refuses to start a dialogue with the society».

It is hard to say if the political forces in the parliament manage to decide on the majority within the short term, as announced. On September 19, a representative of Nasha Ukraina Yuri Kostenko and leader of Trudova Ukraina/PPU faction Serhiy Tihipko announced they had agreed on a draft coalition agreement that would have to be approved by the Speaker and the President. By September 20 the President found no time in hi schedule to see Kostenko and Tihipko. His reluctance casts doubts about implementation of the «9+1» or the «8 + Nasha Ukraina» scenarios. It looks like in this play, in which many of the actors play several roles at a time, everybody wants to keep the pause for as long as possible. Meanwhile, the politics continues moving through a labyrinth.